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WITNESSES—COMPETENCY OF WIFE TO TESTIFY AGAINST HER HUSBAND.—A statute provided that one spouse could not testify against the other "except in a criminal prosecution for a crime committed one against the other;" held, that a wife is competent to testify against her husband in a prosecution for wilfully failing to supply his children with necessary food, clothing, shelter and medical attendance. *Hunter v. State* (Okla. 1913) 134 Pac. 1134.

The construction given this statute is more liberal than that usually given similar statutes. In *Bassett v. U. S.* 137 U.S. 496, 11 Sup. Ct. 165, the appellant was being prosecuted for polygamy, and the court held the wife to be an incompetent witness, reversing the decision given in 5 Utah 136, 13 Pac. 240. In accord is *State v. Kniffen*, 44 Wash. 485. In *People v. Westbrook*, 94 Mich. 629, 54 N. W. 486, a wife was held incompetent to testify against her husband in a criminal prosecution for an indecent assault upon his nine year old step daughter. In *Overton v. State*, 43 Tex. 616, a wife was denied the right to testify against her husband in an action for the theft of her property. And she was held to be an incompetent witness in a prosecution for incest with his stepdaughter in *Compton v. State*, 13 Tex. App. 271, 44 Am. Rep. 703. In *McLean v. State*, 32 Tex. Cr. R. 521, 24 S. W. 898 the wife was not permitted to testify against her husband in a prosecution for adultery. In accord is *State v. Armstrong*, 4 Minn. 251. In accord with the principal case are *State v. Sloan*, 55 Iowa 217, 7 N. W. 552 where the legal wife was held competent to testify against her husband in a prosecution for bigamy, and *Lord v. State*, 17 Neb. 526, 23 N. W. 507, which allowed a wife to testify against her husband in a prosecution for adultery. *State v. Bennet*, 31 Iowa 24, held the husband was a competent witness against his wife in a prosecution for adultery. See 6 COLUMBIA L. REV. 469.